

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

SEAN M. DONAHUE,

Plaintiff

v.

LUZERNE COUNTY CORRECTIONAL
FACILITY, ET AL.,

Defendants

CIVIL ACTION NO. 3:13-CV-1326

(JUDGE NEALON)

(MAGISTRATE JUDGE BLEWITT)

FILED
SCRANTON

JUL 30 2013

PER h
DEPUTY CLERK

ORDER

NOW, THIS 30th DAY OF JULY, 2013, for the reasons set forth in the Memorandum

issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 10), is **ADOPTED** as stated in the Memorandum:
 - A. Defendant LCCF is **DISMISSED with prejudice**;
 - B. The remaining Defendants are **DISMISSED without prejudice**;
 - C. Plaintiff is **DIRECTED** to file an amended complaint as to his denial of access to courts claim within twenty (20) days of the date of this Order or the case will be dismissed;
2. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 4), is **GRANTED**;
3. Plaintiff's motions to appoint counsel, (Docs. 11-12), are **DENIED without prejudice**;
4. This matter is **REMANDED** to Magistrate Judge Blewitt for further proceedings.


United States District Judge